UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
SHAAWAT, MUSSA A

ART UNIT	PAPER NUMBER
3627	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 August 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-10 and 13-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-10 and 13-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to amendment filed on 08/03/2009. Claims 2 and 11-

12 have been previously cancelled. Claims 1, 3, 7 and 8 have been amended. Claims

15-16 have been newly added. Claims 1, 3-10 and 13-16 are pending examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 3-10 and 13-16 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lai et al. in view of Helland et al., Suorsa, Yu, Roche, Vaghi and

Taylor et al.

Lai et al. shows all of the limitations of the claims except for specifying a remote

processing and particular software services, including credit card processing,

calculation of taxes, warehouse management, shipping and invoicing.

Lai et al. shows a transaction processing system and method.

In reference to claim 1, figure 1 shows multiple user terminals 14 (entities)

sending transactions to host computer 12. (receiving a request at a host system for a

transaction from an entity;)

The connection processor recognizes the protocol directs the output to the

proper application 16; column 2, lines 37-40 (determining at the host system software

programs for processing the transaction). The application stack 16 provides different services but they are located on the host.

Part of remote processing is (accessing the software programs to process the transaction;)

Part of remote processing is (receiving results at the host system of the processing from a network;)

Results of the application stack 16 are provided back to the multiple users (and providing the results to the entity.)

Helland et al. teaches an automatic transaction processing of component based server applications, and the software programs being selected from a plurality of software programs located on a software system configured as a different system from the host system and the entity, the software programs providing processing for different services. Figure 1 shows a group of applications 36 being remotely processed. Column 4, line 63 to column 5, line 3, teaches the distributive computer environment of Helland et al. where more than one program modules are stored in remote memory storage devices and are accessed by the host via a different network in order to maximize computer efficiency.

Based on the teachings of Helland et al., it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the shown embodiment shown in figure 1 of Lai et al. to make use of the distributive computer

environment of Helland et al. (process application stack of Lai et al. remotely) in order to maximize computer efficiency.

Suorsa teaches, column 2, line 17, credit card processing software.

Yu teaches, column 2, line 65, calculation of taxes software.

Taylor et al. teaches, column 9, lines 12-13, warehouse management software.

Vaghi teaches, column 2, line 55, shipping software.

Roche teaches, column 8, line 68 invoicing software.

Based on the teachings of Suorsa, Yu, Roche, Vaghi and Taylor et al., it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to specify known software applications, including credit card processing, calculation of taxes, warehouse management, shipping and invoicing software, as part of the Lai application library in order to generate greater revenue from the usage of known software.

In reference to claim 3.   The method of claim 1 wherein the accessing step includes accessing a solution stack within the software solution system having a plurality of software programs providing services to process the transaction. Applications 36 from Helland et al.

In reference to claim 4.   The method of claim 1 wherein the accessing step includes using an integration block to access the software programs and maintain the software programs decoupled. Management system 20 of Lai et al.

In reference to claim 5. The method of claim 1 wherein the accessing step includes using the software programs providing the following services: credit card processing, calculation of taxes, warehouse management, shipping, and invoicing.

See above teachings.

In reference to claim 6. The method of claim 1, further including providing to the entities a single access point for processing of transactions using the software programs. Management system 20 of Lai et al.

In reference to claims 15 and 16, Lai teaches receiving the request via a first network; Lai does not expressly teach accessing the software programs via a second network wherein the second network is different and disconnected from the first network. However Helland teaches accessing the software modules located remotely from the host via a second network which is different and disconnected from the first network. See above for motivation

Claims 7-10 and 13-14 are substantially similar to claims 1 and 2-6.

Examiner, per 37 CFR 1.104 (c) (2), has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of

the claimed invention, as well as the context of the passage as taught by the prior arts
of disclosed by the examiner.

Response to Arguments

4.   Applicant's arguments have been fully considered but are not persuasive.   In
particular applicant argues that, A) the references do not disclose or suggest a plurality
of software programs located on a software solution system configured as a different
system from the host system and the entity, the software programs providing processing
for different services.

In response to A) the examiner respectfully disagrees. Applicant is reminded that
claims must be given their broadest reasonable interpretation. Helland teaches a
distributive computing environment, where more than software modules are stored
remotely in a different system and are accessed by the host in response to a transaction
processing via a second network (see at least col. 4 line 63-col.5 line 3; col. 6 line 49-
col. 7 line 27). Therefore Lai in view of Helland still meets the scope of the limitation as
currently claimed.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to MUSSA SHAAWAT whose telephone number is
(571)272-2945. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-2945. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mussa A Shaawat/
Examiner, Art Unit 3627
October 06, 2009

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627